

92326

East Lothian Council
Licensing

05 SEP 2024

Received



APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

2b

LICENSING (SCOTLAND) ACT 2005, SECTION 29

**This application should only be completed by the Licence Holder
of the appropriate Premises Licence or their Agent.**

1. TYPE OF VARIATION

This application for Variation other than a Minor Variation of Premises Licence is made under Section 29(5) of the Licensing (Scotland) Act 2005 in order to vary - (Tick all relevant boxes)

- Any of the Conditions to which the Premises Licence is subject
- Any of the information contained within the Operating Plan
- The Layout Plan
- Any other information contained or referred to in the licence (including any addition, deletion or other modification).

(Provide Details)

2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL0393

2(b) Name and Address of Premises Premier Store, 90 High Street
Haddington, East Lothian

Post Code EH41 3ET Tel. No. _____

Email _____

2(c) Full Name and Address of Current Licence Holder

Sheree Ashleigh Shah

[REDACTED]

_____ Post Code [REDACTED]

Tel. No. [REDACTED] Email address _____

3. NATURE OF VARIATION

Complete the relevant section(s) regarding the variations sought -

3(a) Variation to the Conditions to which the Premises Licence is subject

Provide details of the Condition(s) to be varied and the variation being sought

3(b) Variation to the information contained within the Operating Plan of the Premises Licence

Provide a copy of the proposed operating plan and detail below the proposed changes. (See Note 1)

To increase the capacity to 17.1 square metres.

3(c) Variation to the Layout Plan of the Premises Licence

A copy of the proposed Layout Plan must accompany this application. (See Note 2)
In addition please provide details below of the proposed change to the layout of the Premises.

To substitute an amended Layout Plan to reflect the increase in alcohol display.

3(d) Variation to any other information contained or referred to in the licence

Provide details below of any other variation sought to the Premises Licence (e.g. Alteration to the description of the premises contained within the Premises Licence)

4. LICENCE TO BE AMENDED (See note 3 below)

Does the appropriate Premises Licence accompany this application?

YES NO

If the answer is NO, please provide an explanation.

I am unable to produce the Premises Licence because –

- The licence has not yet been issued by the Board
- The licence has already been returned to the Board in respect of an earlier application for variation or transfer
- Other (provide details)

5. FEE PAYABLE

Information on fees can be found at

https://www.eastlothian.gov.uk/info/210571/licensing/12259/alcohol_licences/2

If submitted with an application for transfer, please specify the order in which the applications are to be considered–

- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

I confirm that

(a) the contents of this Application are true to the best of my knowledge and belief; and

(b) (i) the appropriate fee of £ 200.00 is enclosed

(ii) the proposed Operating Plan is enclosed

(iii) the proposed Layout Plan is enclosed

(iv) the Pre 

Signature _____ (See note 5 overleaf)

Date 5/9/24

Capacity APPLICANT / AGENT (delete as appropriate)

If agent, please provide details

Full name Macdonald Licensing

Address 21a Rutland Square, Edinburgh

Post Code BH1 2BB

Tel. No. 0131 229 6181 Email address alistair@macdonaldlicensing.com

Note 1

Please note that the proposed Operating Plan must contain any aspects of the current Operating Plan that are to be preserved should the variation be granted. (e.g. If the current Operating Plan allows a premises to have 'live performances' but this is not requested on the proposed Operating Plan then the Licensing Board would view such an omission as a request to have 'live performances' deleted from the Operating Plan of the Premises.)

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Name, address and postcode of premises to be licensed.

Premier Store 90 High Street Haddington East Lothian EH41 3ET

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	NO
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	YES
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	NO
<i>*Delete as appropriate</i>	

Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>		
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</i>		

Question 3

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	10am	10pm
<i>Tuesday</i>	10am	10pm
<i>Wednesday</i>	10am	10pm
<i>Thursday</i>	10am	10pm
<i>Friday</i>	10am	10pm
<i>Saturday</i>	10am	10pm
<i>Sunday</i>	10am	10pm

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>NO</i>
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**If YES – provide details*

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1	COL. 2	COL. 3	COL. 4
<i>5(a) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Accommodation</i>	No	N/A	N/A
<i>Conference facilities</i>	No	No	No
<i>Restaurant facilities</i>	No	No	No
<i>Bar meals</i>	No	No	No
<i>5(b) Activity Social functions including:</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Receptions including Weddings, funerals, birthdays, retirements etc.</i>	No	No	No
<i>Club or other group meetings etc.</i>	No	No	No
<i>5(c) Activity Entertainment including:</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Recorded music – see 5(g)</i>	Yes	Yes	Yes
<i>Live performances – see 5(g)</i>	No	No	No
<i>Dance facilities</i>	No	No	No
<i>Theatre</i>	No	No	No
<i>Films</i>	No	No	No
<i>Gaming</i>	No	No	No
<i>Indoor/outdoor sports</i>	No	No	No
<i>Televised sport</i>	No	No	No

<i>5(d)</i> <i>Activity</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Outdoor drinking</i> <i>facilities</i>	No	No	No
<i>5(e)</i> <i>Activity</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Adult entertainment</i>	No	No	No

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

Recorded Music may be played from when the shop opens at 6am each day. Alcohol will not be sold or supplied until the commencement of licensed hours.

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

Deliveries (which may include alcohol).

The shop is a newsagent/ convenience store which may open from 6am each day, particularly for the sale of newspapers.

5(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	<i>YES/NO*</i>
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<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<i>YES/NO*</i>
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**Delete as appropriate*

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	YES/NO*
	<i>*Delete as appropriate</i>	

6(b) *Where the answer to 6(a) is YES provide statement of the TERMS under which they will be allowed entry*

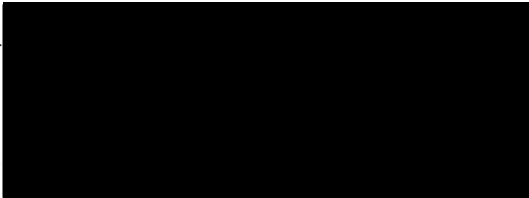
6(c) *Provide statement regarding the AGES of children or young persons to be allowed entry*

6(d) *Provide statement regarding the TIMES during which children and young persons will be allowed entry*

6(e) *Provide statement regarding the PARTS of the premises to which children and young persons will be allowed entry*

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of  knowledge and belief.

Signature

Date 5/1/05

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 2296181, alistair@macdonaldlicensing.com

*** Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

Supplementary Application Information

This information is required in relation to all ~~Premises Licence~~/Provisional Licence applications or any application which is a Premises Licence Variation, not considered to be a Minor Variation.

Application submissions generally tend to be insufficiently detailed as to provide a complete picture of what businesses propose to provide the public. Therefore, Licensing Boards often have too little information, in advance of Board hearings, to fully appreciate what is being applied for. This situation often leads to numerous unnecessary objections and representation being made due to interested parties, such as neighbouring residents, not understanding what proposed activities really relate to i.e. What does Live Music actually mean and how will it impact on their lives. For these reasons, the Board has made a policy decision to require applicants to provide a fuller description of their business proposals and detail how the five licensing objectives will be met.

Business Profile

Please describe your business offering.

The premises were granted a Provisional Licence before the Licensing Board in October 2023 and subsequently the Licence was finalized.

Since commencing trading, initially under Occasional Licences and now under their full Premises Licence, our clients have, following discussions with the LSO, come to the conclusion that they require additional alcohol display, hence this Major Variation.

As explained at the time of the initial Application, this was a newsagents business but the sale of newspapers has greatly reduced, as has the profit element on them, so our clients have expand the convenience store element, to which alcohol is a useful addition.

Our client is married with four children under the age of 10, so her husband will be helping out, along with, it is envisaged, one full time and one part time member of staff.

They have been looking for a business of their own for some time and feel that there is a real opportunity here.

Our client and her husband Zain Shah have enjoyed operating this business, but do not want to run into trouble with the Licensing Officers or the Police in terms of their display, hence this Application.

On/Off Consumption

(a) Please describe the type of business you intend to operate in respect of On consumption.

Not applicable

(b) Please describe the type of business you intend to operate in respect of Off consumption & deliveries

Our client would stock a range of wines, spirits, beers, ciders etc in addition to newspapers, stationary and general groceries. May do deliveries.

Clarification is required in relation to the content of your proposed Operating Plan

To what extent do you intend to use any of the following: Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals:

Not applicable.

Social Functions – Weddings; Birthdays; Retirements ; Other - If you intend to provide for any of these functions please describe the nature and extent and likely frequency of each:

Not applicable.

Entertainment – Recorded Music; Live Performances; Dance Facilities; Theatre; Films; Gaming; Indoor/outdoor sports; Televised Sport - If you intend to provide for any of these facilities please describe the nature and extent and likely frequency of each:

Not applicable other than background music in the shop.

Outdoor Drinking Facilities - If you intend to provide outdoor drinking facilities please describe where and what the facilities will be used for. You will also be required to provide a statement in the objectives section how you intend to prevent public nuisance from use of such facilities:

Not applicable.

Adult Entertainment – If you intend to provide any entertainment of a sexual nature please state the type and likely frequency if use. Adult entertainment is any form of sexual stimulation and includes adult humour or explicit language. The Board will also expect you to address the objective of preventing harm to children and young persons:

Not applicable.

Activities Outwith Licensed Core Hours - In your Operating Plan, directly below question 5(e), you should have given details of any activity that will be provided outwith core licensed hours. If you wish you can expand on your explanation here:

As a newsagent the shop opens at 6am, and will continue to do so.

Goods and services will be available for purchase other than alcohol. No alcohol will be sold or supplied until the commencement of licensed hours.

Any Other Activities - In your Operating Plan at 5(f) you should have given details of any other type of activity you are likely to cater for. It would be useful to give an indication of the extent and frequency of such events:

This is a newsagent/ convenience store which will operate between 6am and 10pm. It may do deliveries if there is a demand for this, although it is not envisaged immediately.

Children and Young Persons – If you intend to provide access for children and young persons on the premises please provide details of what facilities you have on the premises in respect of different age groups. In addition, please state where and what baby changing facilities will be provided for children under five years.

There are of course no restrictions on under eighteens in off sales, but our client will monitor children, particularly in groups. Children and young persons will be welcomed to buy soft drinks, confectionary etc but our client will operate a strict Challenge 25 policy.

Licensing Objectives - Please provide details below of how you will ensure that the 5 Licensing Objectives are complied with. It may be helpful in answering this section if you refer to the East Lothian Council Licensing Board's 'Statement of Licensing Policy, which can be found at the following link or the Council website [policy link](#)

Preventing Crime and Disorder:

Our clients appreciates that they have to be extremely strict regarding the exercise of Challenge 25. Having said that there have been no real issues with youngsters, or indeed drunk people, attempting to be served. Initially a few tried but after being refused they seemed to give up. Our clients have an experienced Manager who has a Personal Licence. Our client's husband has recently completed a Course and applied for his Personal Licence. He and the member of staff tend to be the main workers here. The Applicant only helps out occasionally. However she and her staff are firm but polite and if appropriate ID cannot be exhibited they will refuse. They have a Refusals Book, but the till also records refusals.

Securing Public Safety:

The safety of customers and staff is paramount to our client. It is envisaged that the shop will be a safe and pleasant place to visit. That is certainly our client's intention.

Preventing Public Nuisance:

As explained the only music played would be background music. There may be times when groups of children gather, for instance after school, but they would be asked to move on as quickly and quietly as possible.

Protecting and Improving Public Health:

Our client is aware of the concerns in Scotland expressed by the Government, and the Licensing Boards, of the irresponsible consumption and overconsumption of alcohol. Our client supports this and will do everything that she can in order to ensure that their shop is not considered as a source of any issues under this heading. Not just regarding alcohol but other age related products like cigarettes and vapes. The increase in display capacity is to be able to provide a wider range of beers, wines and gins for

Protecting Children and Young Persons From Harm:

Our client, her husband and the staff exercise a strict Challenge 25 policy. Our client also understands the importance of preventing agency sales as far as possible, when adults purchase for underagers. For instance repeating an order that has recently been refused. Our clients and their manager appreciate what to look out for to staff, that might indicate that that is what the order was, and if that is the case they will refuse the sale, even though it is to an adult.

Application Supporting Comments / Any Other Additional Information

Additional Information:

This is an Application to amend the original Premises Licence with an addition of alcohol display, just to reflect demand from customers for a variety, and will basically be given over to different types of beers, wines, and gins, which were on occasion spilling over into other areas. This is to eliminate that.

Supporting Comments: i.e. reasons why the Board should support your application.

We have explained the rationale behind the Application. Whilst accepting that commercial reasons in themselves are not a justification for this Variation being granted, our client would ask the Board to support her efforts to maintain and improve this business and to continue to show that she, her husband and the staff can do so in a responsible and trustworthy way.

They would like to think that they have shown the Board already that they can operate without causing problems and if this issue can be resolved, that they will have a good working relationship with the Licensing Standards Officer going forward and there should be no further issues.

SIGNATURE AND DECLARATION BY APPLICANT

IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))

The contents of this Application are true to the best of my knowledge and belief.

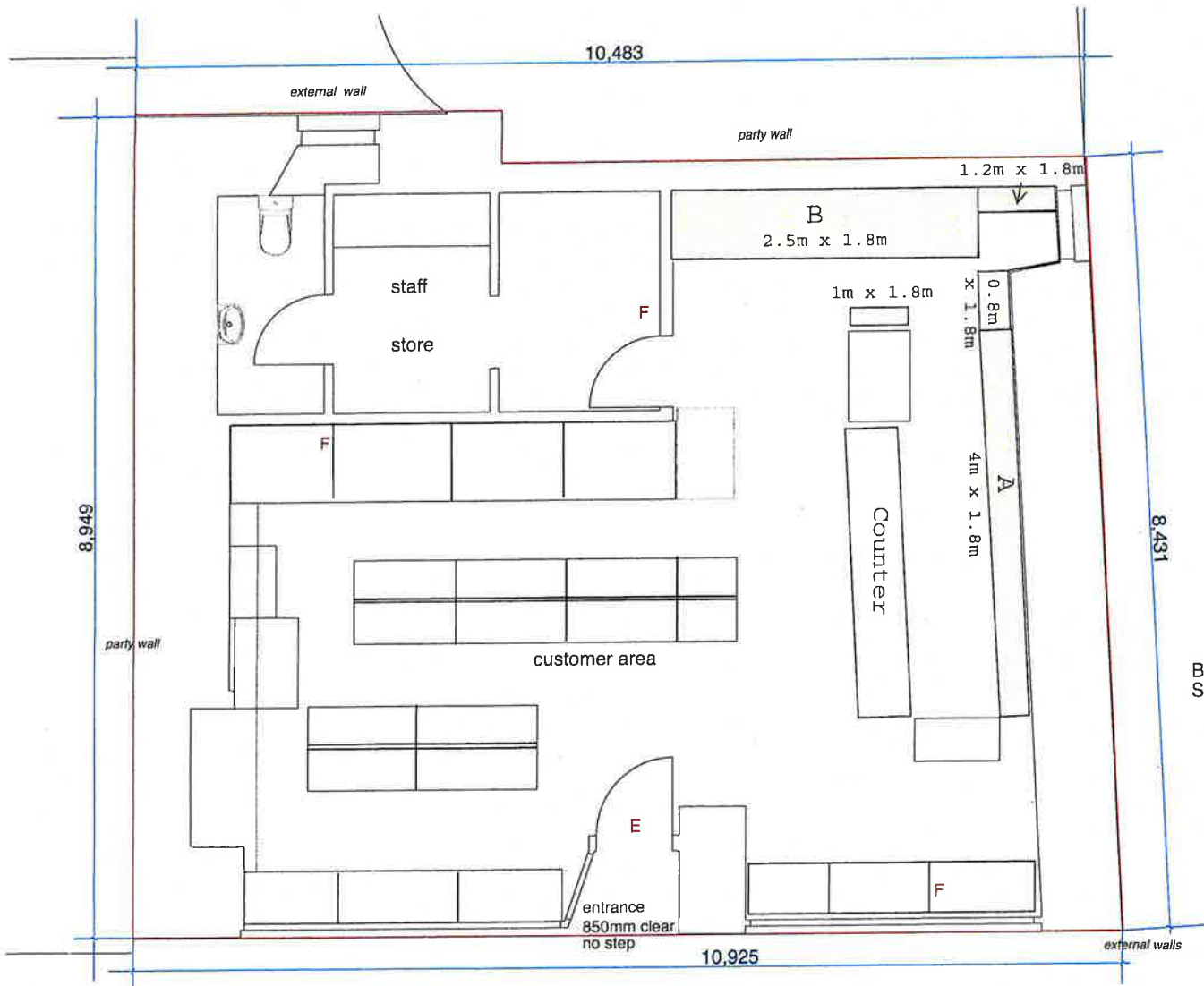
Signature



5/2/24

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 229 6181
alistair@macdonaldlicensing.com



HIGH STREET

- E** emergency exit illuminated sign
3 hours maintained to BS5266-1:2016
- F** fire extinguisher
- entire licensed premises



location plan 1:1250



ALCOHOL DISPLAY
behind counter

A 4m x 1.8m = 7.2m

customer access

B 2.5m x 1.8m = 4.5m

1.5m x 1.8m = 2.16m

0.8m x 1.8m = 1.44m

1m x 1.8m = 1.8m

TOTAL = 17.1 square metres

BROWN STREET

licenced convenience shop

**90 HIGH STREET
HADDINGTON, EH41 3ET**

licence plan

scale 1:50 September 2024

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 14th November 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL0393, PREMIER STORE, 90 HIGH STREET, HADDINGTON, EAST LoTHIAN EH41 3ET

On 24th October the Licensing Board heard a major variation application for the above premises.

The changes applied for are:

- To increase the capacity on the operating plan from 9.32m² to 17.1m²
- Amend the layout plan for the new capacity requested.

At this time information from my report dated 2nd October 2024 was presented. The Licensing Board decided to continue the application to be heard on 28th November, following a request from the applicant's agent to resolve the issues raised with staff training and requirements to produce certain documents.

On 6th November 2024, I visited the premises. The premises manager Syed Haidar was working alone in the shop. I asked for the premises licence, operating plan, and layout plan, along with his personal licence. He produced all the documents which were held in a folder. Within the folder were also training records for 6 staff and a record that additional training was completed by Alistair Macdonald on 3rd November 2024. There was also a written age verification policy, signed by 3 staff.

The shop was visibly tidier than my previous visits. It was noted that there were several alcoholic products on the shelves that did not have a price and one with a price of £0.00. Mr Haidar was instructed to remedy this within the day and to ensure that all prices were displayed and met the Minimum Unit Price (MUP) including the recent increase to 65p. He agreed he would do this and was guided that there were MUP calculators available online.

Prior to the visit, I received information that a local resident had witnessed a staff member give alcohol to an intoxicated male on "tick"/credit. No time and date were supplied. I asked Mr Haidar about this, if the practice of giving alcohol in credit had happened and if alcohol was supplied to an intoxicated male. He denied that this happened at the premises. I emphasised again the requirement not to sell alcohol to

any person who is intoxicated and to always follow the age verification policy.

On the evening of 13th November 2024, I visited the premises again. Mr Haidar was in the shop working alone. He produced the premises licence, operating plan, layout plan, staff training records, age verification policy and his own personal licence. Signage was correct and the summary of premises licence was displayed. A check was completed of the products on display for compliance with MUP, with all products priced above MUP. There were a few bottles of whisky that required a price to be displayed.

It is my intention to continue to monitor this premises with regular visits to ensure that the training and advice that was given by Alistair Macdonald is in practice and maintained.

Licensing Standards Officer

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 2nd October 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL0393, PREMIER STORE, 90 HIGH STREET, HADDINGTON, EAST LoTHIAN EH41 3ET

I can confirm that the application has been discussed with Alistair Macdonald and the premises have been visited on confirmation of the provisional premises licence and in relation to this variation application. The site notice was correctly displayed.

The changes applied for are:

- To increase the capacity on the operating plan from 9.32m² to 17.1m²
- Amend the layout plan for the new capacity requested.

On 21st June 2024, I visited the premises accompanied by the Police Licensing Officer following confirmation of the premises licence. At this time several compliance issues were identified. The staff member in the shop gave a false name and was unable to produce his personal licence. His name was eventually established as Syed Haidar and that he did have a personal licence, but he was unable to produce it. It was also established that the alcohol display was significantly larger, approximately double, than that on the layout plan with alcohol displayed outwith the marked display areas. Syed was unable to produce the premises licence, operating plan and layout plan and did not know what these documents were.

Contact was made with the premises licence holder and premises manager Sheree Shah to try to resolve the issues, however, she informed me on the phone that she had little involvement claiming her husband Zain Shah ran the shop. I spoke with Zain who was aggressive on the phone. He then came to the premises 30 mins later. I informed both him and Syed it was not appropriate for staff members to give incorrect names to a Licensing Standards Officer or police. I also explained that it was an offence to be working on a licensed premises and unable to produce your personal licence when requested. I requested to see Zain Shah's training record as I know that he regularly works at the premises and Sheree Shah informed me that he ran the premises. He did not have a training record and it was clear he had not received the mandatory 2-hour training from a personal licence holder and had been selling alcohol. He was informed

that he should not make any further sales of alcohol without receiving the 2 hours mandatory training from a personal licence holder and a training record completed. It was later established that the certified copy of the premises licence was in the process of being sent out by the premises licence holders' agent, but the premises licence holder did not express this at the time.

At this visit a Section 14 compliance notice was issued in relation to breach of mandatory condition 13 – display of alcohol, and I requested the additional alcohol was removed immediately and only displayed in the areas shown on the layout plan. I asked why there was so much alcohol on the shop floor and he said it was to get more in for the football festivities and make more money. Guidance was given that a major variation application would be required to increase the capacity of off sales and change the layout plan and to seek legal advice regarding this. Following this visit it was clear that Sheree Shah was not acting as premises manager, which I expressed to her agent. A minor variation was received to appoint Syed Haidar as premises manager.

On 28th June, I completed a follow up visit at the premises following the issues above. The premises licence, operating plan and layout plan were available, signage was now correctly displayed. There were two staff training records, one of which was for Zain Shah, however there were no dates on the training records, and I asked Syed as the trainer to complete them. The display had been changed, however, area A was still too big and guidance was given to rectify this. A minor variation to appoint Syed as premises manager had been submitted and I asked him if he was aware of the responsibilities of the role which he said he did. He had a photocopy of his personal licence on the wall however he was advised to have the original with him when working. Following this visit I sent an email to the premises licence holder Sheree Shah and her husband Zain Shah in relation to the visit, I specifically highlighted that Syed Haidar did not have his personal licence again and that a photocopy was not sufficient. There were some improvements seen on this visit, and I hoped the premises was moving forward with compliance.

On 19th September I visited the premises, in relation to the major variation application. I asked the member of staff on duty for his name and to provide his training record. He could not find his training record. I suggested that he contact Zain Shah and I spoke with him on the phone. I relayed to him that I wished to see the employees training record. Whilst he was at the till looking for his training record two young looking men came into the shop clearly under the age of 25. They had a conversation at the alcohol fridge and one of them came up to the till to buy the alcohol. The staff member was about to make the sale until I stepped in to stop this happening as no training record had been provided. I asked why he was about to put the sale through without asking for ID, at which point one of the young men immediately left the shop and the other became aggressive saying he had ID. He then left after being advised there were other ongoing issues. In my opinion it was clear that this was potentially a proxy sale and challenge 25 should have been conducted for both customers. I asked the staff member what the age verification policy was, and he just said 18 and seemed to have no knowledge of challenge 25.

He eventually found a training record, however, the name he had given me on arrival was different to the name on the training record. I asked him for photographic ID to confirm his name and it was established that the name on the training record matched his ID. I asked why he had given a different name on my arrival, and he could not explain. Following this visit I contacted the applicant's agent to express my concerns that staff appeared to require additional training and that again there were issues with producing training records, staff understanding of what is required of them and giving incorrect names to officers.

As a result of concerns raised at the previous visit, I attended at the premises again on 2nd October. Syed

Haidar was in the shop. I introduced myself and asked if he had his personal licence with him. He said he did and began searching. He located the basket that I know that the premises licence was in previously which appeared messy and unorganised compared to the previous visit. He searched for the personal licence for about 20 minutes in between serving customers. During this time another staff member that I have not seen before came into the shop. I asked his name and for a training record. It appeared he had one but again it was not dated. I asked how long he had worked at the shop, and he said a week and then he abruptly left the shop before I could ask any further questions. I advised Syed that the full 2 hours training needed to be completed and the training record fully completed with the date of the training. Syed then continued the search for his personal licence, he said he had a picture on his phone which I said was not satisfactory, I would like to see the physical personal licence. He was struggling to grasp that it was a requirement to have the personal licence and complained that there was too much to remember. I asked him if he was struggling with being premises manager and the responsibilities it placed on him, and he said he wasn't. Eventually he said that his personal licence must be in a different bag that he hadn't brought. I confirmed with Midlothian Council that a physical licence is sent to all personal licence holders.

The above issues are concerning and there appears to be continued problems complying with the Act at this premises in particular staff training, age verification and production of required documents. This is inconsistent with the licensing objectives of preventing crime and disorder and protecting children and young persons from harm. The premises licence holder and premises manager Mr Haidar have been given a significant amount of guidance and the same mistakes and non-compliance continues.

I would recommend should the board move to grant this variation to increase the capacity the following condition is considered:

- a personal licence holder must be on the premises at all times that alcohol is available for sale.

It is my intention to visit the premises again before the Licensing Board hearing and give a verbal update as to my findings at that time.

Licensing Standards Officer

08/07/2024

Your Ref:

Our Ref: 840945

The Clerk of the Licensing
Committee
East Lothian Council
John Muir House
Haddington
East Lothian
EH41 3HA



**POLICE
SCOTLAND**

Keeping people safe

Gregg Banks
Divisional Commander
Licensing Section
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
PREMIER STORE, 90 HIGH STREET, HADDINGTON, EAST LOTHIAN.
«SHEREE ASHLEIGH SHAH»**

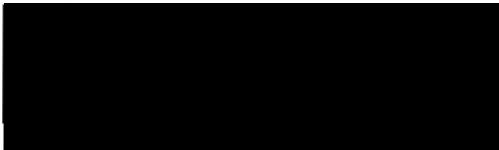
I refer to the above variation of a premises licence in terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of a variation to the layout plan to increase alcohol display area capacity to 17.1sqm, all ancillary changes.

In terms of Section 29(5) this request can be considered a variation.

I have no adverse comment to make regarding the variation proposed.

Yours faithfully



Gregg Banks
Divisional Commander

For enquiries please contact the Licensing Department.

Licensing

From: Robertson, Scott
Sent: 10 September 2024 08:56
To: Licensing
Subject: RE: Major variation - Premier Store, 90 High Street, Haddington, EH41 3ET

Hello,

Please note I have no comments or objections to this application.

Regards
Scott

Scott Robertson | Assistant Planner – Planning Delivery | East Lothian Council | John Muir House | Haddington EH41 3HA
T. 01620 827585 | E.srobertson2@eastlothian.gov.uk Visit our website at www.eastlothian.gov.uk

From: Licensing <licensing@eastlothian.gov.uk>
Sent: Friday, September 6, 2024 11:04 AM
To: Lothian & borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Torquil Cramer (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; Kat Burke (kat.burke@nhs.scot) <kat.burke@nhs.scot>; Licensing Standards Officer <lso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>; all@haddingtoncc.org.uk
Subject: Major variation - Premier Store, 90 High Street, Haddington, EH41 3ET

Hi all

Please find attached major variation application for the above premises. Can we please have reports/representations by 30th September 2024.

Regards
Christine

Christine Aitken | Licensing Officer | Licensing Dept. | East Lothian Council | John Muir House | Haddington | East Lothian | EH41 3HA |

Tel. 01620827664
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